

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

AMDOCS (Israel) Limited )

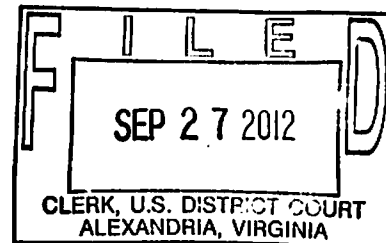
Plaintiff, )

v. )

OPENET TELECOM, LIMITED, et al. )

Defendants. )

1:10cv910 (LMB/TRJ)



ORDER

For the reasons to be explained in detail in a Memorandum Opinion to be issued in the near future, plaintiff Amdocs (Israel) Limited's Motion for Proposed Claim Constructions and Partial Summary Judgment of No Invalidity and No Inequitable Conduct [Dkt. No. 98] is GRANTED in part to the extent that the construction of certain claims will be made by the Court and GRANTED as to inequitable conduct but DENIED in all other respects because there are material issues of fact in dispute as to the validity of the '065, '510, and '984 patents.

The same Memorandum Opinion will provide the reasons why Openet's Proposed Claim Construction and Motion for Summary Judgment of Non-Infringement and Invalidity [Dkt. No. 95] is GRANTED in part to the extent that the construction of certain claims in the patents at issue will be made by the Court and GRANTED as to non-infringement, but DENIED as to invalidity of

of the '065 patent because there are material issues of fact in dispute as to that issue.

This ruling will leave only the issue of patent invalidity for trial. Accordingly, it is hereby

ORDERED that within fourteen (14) days of receipt of the Memorandum Opinion, the parties meet and confer about whether they want to take the invalidity claims to trial and advise the Court of their decision within that time period.

Because the Court's Markman constructions of various claim terms do not always adopt either of the party's proposed constructions and neither infringement nor inequitable conduct will be an issue at trial, all the pending motions in limine and motions related to the conduct of the trial, docketed as numbers 117, 121, 124, 126, 130, 132, 143, 145, 147, 151, and 232 are DENIED as moot; however, the parties will be allowed to file new or revised versions of these motions if the remaining patent invalidity issues go to trial and the motions remain relevant to those issues.

Given the proprietary nature of materials in the parties motions and their attached exhibits, sealing motions docketed as numbers 105, 138, and 221 are GRANTED, as is the motion docketed as number 212, which requests leave to correct certain document entries.

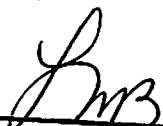
Openet's Motion to Strike Exhibits 8-10 [Dkt. No. 164] is GRANTED because this Court does not rely on unsworn statements of witnesses and it is too late to correct that defect.

The Clerk is directed not to enter judgment under Fed. R. Civ. P. 58 until the Memorandum Opinion issues and the Court authorizes entry of a final judgment and to forward copies of this Order to counsel of record.

The Clerk is directed to forward copies of this Order to counsel of record.

Entered this 27<sup>th</sup> day of September, 2012.

Alexandria, Virginia

  
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/s/ Leonie M. Brinkema  
United States District Judge